
**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

STEVEN BROWN, *et al.*,

Plaintiffs,

v.

**THE BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES, *et al.*,**

Defendants.

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: Case No.:
: 1:22-cv-00080-TSK
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**STATEMENT OF UNDISPUTED MATERIAL FACTS IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

Pursuant to Local Civil Rule 7.02, Plaintiffs submit this statement of undisputed material facts in support of their motion for summary judgment, filed concurrently:

1. Plaintiff Brown is a citizen of Morgantown, West Virginia, over eighteen, but younger than twenty-one years old. He has never been charged with nor convicted of any offense that would prevent him from purchasing a handgun under all applicable laws. Nothing except his age prevents him from purchasing a handgun from a federal firearms licensee ("FFL"). Brown Decl.

¶¶ 1, 3-4.

2. Plaintiff Brown sought to purchase a handgun and handgun ammunition on two separate occasions and was denied those purchases based solely on his age. Brown Decl. ¶¶ 5-7, 9-10.
3. Plaintiff Brown desires to purchase a handgun and handgun ammunition from an FFL. Brown Decl. ¶ 11.
4. Plaintiff Weekley is a citizen of Parkersburg, West Virginia, over eighteen, but younger than twenty-one years old. He has never been charged with nor convicted of any offense that would prevent him from purchasing a handgun under all applicable laws. Nothing except his age prevents him from purchasing a handgun from a federal firearms licensee (“FFL”). Weekley Decl. ¶¶ 1, 3-4.
5. Plaintiff Weekley sought to purchase a handgun and was denied that purchase based solely on his age. Weekley Decl. ¶¶ 5-8.
6. Plaintiff Weekley desires to purchase a handgun and handgun ammunition from an FFL. Weekley Decl. ¶ 10.
7. Plaintiff West Virginia Citizens Defense League (the “Organizational Plaintiff”) is a nonprofit organization dedicated to promoting the right to keep and bear arms. Its members include West Virginia residents between the ages of eighteen and twenty-one who would purchase handguns from FFLs if not for the laws and regulations at issue in this case and FFLs who would sell handguns and handgun ammunition to individuals 18-to-20-years-old but for the laws and regulations at issue in this case. Masters Decl. ¶¶ 7,9.

8. Plaintiffs Brown and Weekley are members of the Organizational Plaintiffs.

Brown Decl. ¶ 2; Weekley Decl. ¶ 2; Masters Decl. ¶ 6.

Dated: January 3, 2023

Respectfully submitted,

/s/ John H. Bryan

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